Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
Western Regional Office • 436 Dwight Street, Springfield MA 01103 • 413-784-1100

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AIR QUALITY OPERATING PERMIT

Issued by the Massachusetts Department of Environmental Protection ("Department" or "MassDEP") pursuant to its authority under M.G.L. c. 111, §142B and §142D, 310 CMR 7.00 et seq., and in accordance with the provisions of 310 CMR 7.00: Appendix C.

ISSUED TO ["the Permittee"]:
Erving Industries, Inc.
97 East Main Street
Erving, MA 01344

INFORMATION RELIED UPON:
Application No. WE-13-022
Transmittal No. X257116

FACILITY LOCATION:
Erving Industries, Inc.
97 East Main Street
Erving, MA 01344

FACILITY IDENTIFYING NUMBERS:
AQ ID: 0420121
FMF FAC NO.: 130789
FMF RO NO.: 50067

NATURE OF BUSINESS:
Paper Manufacturing

Standard Industrial Classification (SIC): 2621
North American Industrial Classification System (NAICS): 322121

RESPONSIBLE OFFICIAL:
Name: Thomas J. Newton
Title: Vice-President of Operations

FACILITY CONTACT PERSON:
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This Operating Permit shall expire on 7/19/2022 .

For the Department of Environmental Protection

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

7/19/2017

Michael Gorski
Regional Director
Department of Environmental Protection
Western Regional Office

Date

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SPECIAL CONDITIONS FOR OPERATING PERMIT

1. PERMITTED ACTIVITIES

In accordance with the provisions of 310 CMR 7.00:Appendix C and applicable rules and regulations, the Permittee is authorized to operate air emission units as shown in Table 1 and exempt, and insignificant activities as described in 310 CMR 7.00:Appendix C(5)(h) and (i). The units described in Table 1 are subject to the terms and conditions shown in Sections 4, 5, and 6 and to other terms and conditions as specified in this Permit. Emissions from the exempt activities shall be included in the total facility emissions for the emission-based portion of the fee calculation described in 310 CMR 4.00 and this Permit.

A. DESCRIPTION OF FACILITY AND OPERATIONS

Erving Paper Mills, Inc. located at 97 East Main Street in Erving has been in the paper manufacturing business since 1908. The company produces 100% recycled parent rolls of tissue grade paper used in food service products such as napkins, as well as toweling and table cover grades. The facility recently constructed a Combined Heat and Power ("CHP") plant consisting of a 5.7 Megawatt Solar Taurus Combustion Turbine and ancillary 28.5 Million British thermal unit ("MMBtu") Duct Burner as part of a Heat Recovery Steam Generator. The combustion turbine and duct burner utilize an oxidation catalyst and selective catalytic reduction for carbon monoxide ("CO") and nitrogen oxides ("NO_X") respectively.

In conjunction with the CHP project, Erving Industries constructed a new Kohler 800 kilowatt #2 fuel oil-fired emergency generator. The new emergency generator was certified to the MassDEP Environmental Results Program ("ERP") and is subject to 310 CMR 7.26(42) and New Source Performance Standards ("NSPS") Subpart IIII. The CHP facility and new 800 KW emergency engine was issued MassDEP Approval #WE-14-030, Tr.#X264103 on March 10, 2015. The CHP facility was completed in January 2016.

Several years prior to the addition of the new CHP facility, a 49 MMBtu/hr Combustion Engineering boiler and a 15MMBtu/hr Bigelow Scotch Marine boiler (Emission Units #2 and #3) were decommissioned, dismantled, and removed along with the 80 foot stack that serviced them. The existing Union Ironworks78 MMBtu/hr boiler (EU 1) is now a back-up boiler and was modified in 2013 to use natural gas as the primary fuel and No. 2 ultra-low sulfur diesel ("ULSD") as a back-up fuel. The retrofit of custom gas burners into the boiler increased heat input of the unit to 85 MMBtu/hr when burning natural gas. The Union Ironworks boiler is not subject to 40 CFR 63 Subpart JJJJJJ – National Emissions Standards for Hazardous Air Pollutants ("NESHAP") for Industrial, Commercial, and Institutional Boilers Area Sources, because natural gas is the main fuel after the retro-fit and the unit meets the definition of a Gas-fired boiler per §63.11237 of this subpart.

The new combustion turbine and duct burner are subject to the requirements of 40 CFR Part 60 Subpart KKKK, Standards of Performance for Stationary Combustion Turbines. The turbine and duct burner are more than capable of complying with the applicable Subpart KKKK emission limits for NO_X and sulfur dioxide ("SO_2") since the 7.02 Approval NO_X and SO_2 emission limits are more stringent. The applicable NO_X and SO_2 emission limits are specified in Table 1 of Subpart KKKK and 40 CFR 60.4330(a)(2), respectively.

Since the duct burner is subject to the requirements of Subpart KKKK, it is not subject to 40 CFR Part 60 Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The duct burner is also not subject to 40 CFR 63 Subpart JJJJJJ – National Emissions Standards for

Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources, because this subpart does not apply to units that only combust natural gas or propane.

The facility is not a major source of Hazardous Air Pollutants ("HAP"). Therefore the combustion turbine is not subject to 40 CFR Part 63 Subpart YYYY – NESHAPs for Combustion Turbines, because this subpart applies only to major sources of hazardous air pollutants. The facility is exempt from Compliance Assurance Monitoring ("CAM"). 40 CFR 64.2(b) lists several specific exemptions to the CAM rule. Certain emission limitations or standards are exempted, including new source performance standards ("NSPS") or national emission standards for hazardous air pollutants ("NESHAP") proposed after November 15, 1990. 40 CFR 60 NSPS and 40 CFR 63 NESHAP Subparts pertaining to the Facility that are exempt from CAM in accordance with 40 CFR 64.2(b)(i) are 40 CFR 60 Subpart KKKK – NSPS for Combustion Turbines and 40 CFR 63 Subpart ZZZZ – NESHAP for Stationary Reciprocating Internal Combustion Engines.

The facility has an existing Caterpillar 141 horsepower emergency fire pump diesel engine which was installed in June 1987. The engine is a 141 horsepower engine running at 1755 rpm which burns about 9 gallons per hour. The engine is not subject to 310 CMR 7.26(42) or New Source Performance Standards ("NSPS") Subpart IIII. The Caterpillar fire pump engine is subject to 40 CFR 63 Subpart ZZZZ – National Emissions Standards for Hazardous Air Pollutants ("NESHAP") for Stationary Reciprocating Internal Combustion Engines, because it is stationary reciprocating internal combustion engine ("RICE") at an area source of HAP emissions and meets the definition of an emergency stationary RICE per §63.6640(f) of this subpart.

MassDEP issued a 7.18(17) VOC RACT permit on 5/17/1990 (revised 10/16/1990 and 4/16/1991) and was approved by EPA as part of the SIP. This permit has been subsumed by MassDEP Approval #1-P-06-007 (approved 3/30/2006 and amended 3/20/2007).

The facility is considered to be a major source of nitrogen oxides ("NO_X") and sulfur dioxide ("SO2") pursuant to the Emission Offsets and Nonattainment Review regulations of 310 CMR 7.00: Appendix A because the facility has the potential to emit greater than 50 tons per year of NO_X and 100 tons per year of SO_2. Therefore the facility is subject to the Operating Permit and Compliance Program pursuant to 310 CMR 7.00: Appendix C(2). It is not a major source for Hazardous Air Pollutant ("HAPS").

Massachusetts promulgated the 310 CMR 7.71 Reporting for Greenhouse Gas Emissions regulations on June 26, 2009. Pursuant to 310 CMR 7.71(3)a1., Erving Industries is subject to the applicable requirements of this regulation which have been included in this Operating Permit. Erving Industries is also subject to 40 CFR 98 Mandatory Greenhouse Gas Reporting having generated 25,000 metric tons or more per year of carbon dioxide equivalents ("CO_2e).

Tables 3, 4, 5, 6, and 8 of this Operating Permit contain the air quality requirements and regulations to which Erving Industries is subject

2. EMISSION UNIT IDENTIFICATION

The following emission units (Table 1) are subject to and regulated by this Operating Permit:

Table 1

EU	Description of EU	EU Design Capacity	Pollution Control Device
EU 1	Union Iron Works, Model No. 101SA	78 MMBtu/hr – Oil 85 MMBtu/hr – Nat. Gas	n/a
EU 4	Paper Machine No.5, Stevens w/a Hauck paper machine hood	55 tons per day & 12 MMBtu/hr	n/a
EU 5	Paper Machine No.4, Stevens	20.5 tons per day	n/a
EU 6	Paper Machine No. 3, Manchester	40 tons per day	n/a
EU 7	Solvent Degreaser(s)	n/a	n/a
EU 15	Solar Taurus Model 60-7901S Combustion Turbine	78.7 MMBtu/hr 5.7 megawatts	Oxidation Catalyst & Selective Catalytic Reduction
EU 16	Eclipse Model 36FFB Heat Recovery Steam Generator Duct Burner	28.5 MMBtu/hr	Oxidation Catalyst & Selective Catalytic Reduction
EU 17	Open Flare System	30 MMBtu/hr	n/a
EU 18	Emergency Fire Pump Diesel (1987)	1.26 MMBtu/hr (141 hp)	n/a
EU 19	Kohler Model #800REOZRMD – Diesel Emergency Generator	800 KW / 1073 hp	n/a

Table 1 Key

EU = Emission Unit
MMBtu/hr = million British thermal units
hp = horsepower
rpm = revolutions per minute
PCD = Pollution Control Device
n/a = not applicable
No. = number

3. IDENTIFICATION OF EXEMPT ACTIVITIES

The following are considered exempt activities in accordance with the criteria contained in 310 CMR 7.00: Appendix C(5)(h):

Table 2	
Description of Current Exempt Activities	**Reason**
The list of current exempt activities is contained in the Operating Permit application and shall be updated by the Permittee to reflect changes at the facility over the Permit term. An up-to-date copy of exempt activities list shall be kept on-site at the facility and a copy shall be submitted to the MassDEP's Regional Office. Emissions from these activities shall be reported on the annual emissions statement pursuant to 310 CMR 7.12.	310 CMR 7.00:Appendix C(5)(h)

4. APPLICABLE REQUIREMENTS

A. OPERATIONAL AND/OR PRODUCTION EMISSION LIMITS AND RESTRICTIONS

The Permittee is subject to the limits/restrictions as contained in Table 3 below:

Table 3a

EU	Operational and/or Production Limits	Fuel/Raw Material	Pollutant	Emissions Limits/Standards	Applicable Regulation and/or Approval No
EU 1	None	No. 6 fuel oil and waste oil	NO_X	0.30 lb/MMBtu	MassDEP Approval #1-B-94-026 (8/5/1994) Regulation 310 CMR 7.19(5)
			CO	200 ppmv @ 3% O_2	
			PM	0.15 lb/MMBtu	Regulation 310 CMR 7.02(8)
			smoke	< No. 1 of Chart[1], except No. 1 to < No. 2 of Chart for ≤ 6 minutes during any one hour	Regulation 310 CMR 7.06(1)(a)
			Opacity	≤ 20%, except 20 to ≤ 40% for ≤ 2 minutes during any one hour	Regulation 310 CMR 7.06(1)(b)
			sulfur in fuel	≤ 0.55 lb/MMBtu heat release potential (approximately equivalent to 1% sulfur content) from July 1, 2014 through June 30, 2018 ≤ 0.28 lb/MMBtu on and after July 1, 2018	Regulation 310 CMR 7.05(1)(a)1
	600 gallons/year of waste oil, not to exceed 50 gallons waste oil per 25,000 gallons uncontaminated oil and not to exceed 100 gallons /calendar month.	Waste oil			MassDEP Approval #1-B-93-020 (8/24/1993) Regulation 310 CMR 7.05(8) Table 310 CMR 7.05(8) Standards for Used Oil Fuel
	None	Natural Gas and No. 2 fuel oil	NO_X	0.12 lb/MMBtu	Regulation 310 CMR 7.19(5)
			CO	200 ppmv@3% O_2	
			PM	0.15 lb/MMBtu	Regulation 310 CMR 7.02(8)
			smoke	< No. 1 of Chart[1], except No. 1 to < No. 2 of Chart for ≤ 6 minutes during any one hour	Regulation 310 CMR 7.06(1)(a)
			Opacity	≤ 20%, except 20 to ≤ 40% for ≤ 2 minutes during any one hour	Regulation 310 CMR 7.06(1)(b)

Table 3b

EU	Operational and/or Production Limits	Fuel/Raw Material	Pollutant	Emissions Limits/Standards	Applicable Regulation and/or Approval No
EU 4	None	Fibers, additives and No. 2 fuel oil	PM	0.15 lb/MMBtu	Regulation 310 CMR 7.02(8)
			smoke	< No. 1 of Chart[1], except No. 1 to < No. 2 of Chart for ≤ 6 minutes during any one hour	Regulation 310 CMR 7.06(1)(a)
EU 1 EU 4	None	No. 2 fuel oil	sulfur in fuel	≤ 0.05% S by weight from July 1, 2014 through June 30, 2018 ≤0.0015% S on and after July 1, 2018	Regulation 310 CMR 7.05(1)(a)1
EU 4 EU 5 EU 6	Usage rate not to exceed 4498 gallons of Betz 2278 (or equivalent) /month, and not to exceed 8 gallons of Betz 2278 (or equivalent) per wash cycle.	Fibers and additives	VOC	Not to exceed 2.2 tons per calendar month and 26.3 tons per year (rolling 12-month total)[6]	MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007)
			opacity	≤ 20%, except 20 to ≤ 40% for ≤ 2 minutes during any one hour	Regulation 310 CMR 7.06(1)(b)
EU 7	Usage rate not to exceed 100 gallons per calendar month per degreaser	Solvent naptha	VOC	Solvent Vapor Pressure ≤ 1.0 mm Hg at 20 °C	Regulation 310 CMR 7.03(8) Regulation 310 CMR 7.18(1) Regulation 310 CMR 7.18(8)

Table 3c

EU	Operational and/or Production Limits	Fuel/Raw Material	Pollutant	Emissions Limits/Standards	Applicable Regulation and/or Approval No
EU 15 EU 16 (combined emissions)	1. EU 15 shall be fired using only compressed natural gas, propane or ultra-low sulfur distillate oil. 2. EU 15 usage rate not to exceed 1,310,222 gallons of No. 2 fuel oil (ultra-low sulfur distillate) in any 12 consecutive month period. 3. EU 15 shall not exceed 67 million Btu per hour of heat input based on any 12 consecutive month average. 4. EU 16 shall be fired using only compressed natural gas or propane. 5. EU 16 shall only be operated in conjunction with EU 15.	Natural Gas[2,4] Propane[2]	NO_X	0.011 lb/MMBtu, 1.12 lb/hr, 6.0 TPY	MassDEP Approval #WE-14-030 (3/10/2015) 310 CMR 7.02(8)(a)2
			CO	0.007 lb/MMBtu, 0.71 lb/hr, 3.5 TPY	
			VOC	0.005 lb/MMBtu, 0.53 lb/hr, 3.2 TPY	
			$PM/PM_{10}/PM_{2.5}$	0.015 lb/MMBtu, 1.63 lb/hr, 9.1 TPY	
			SO_2	0.003 lb/MMBtu, 0.31 lb/hr, 2.1 TPY	
			Ammonia	0.003 lb/MMBtu, 0.28 lb/hr, 1.2 TPY	
		No.2 fuel oil[3,4]	NO_X	0.024 lb/MMBtu, 2.3 lb/hr, 6.0 TPY	
			CO	0.013 lb/MMBtu, 1.28 lb/hr, 3.5 TPY	
			VOC	0.13 lb/MMBtu, 1.30 lb/hr, 3.2 TPY	
			$PM/PM_{10}/PM_{2.5}$	0.034 lb/MMBtu, 3.39 lb/hr, 9.1 TPY	
			SO_2	0.004 lb/MMBtu, 0.44 lb/hr, 2.1 TPY	
			Ammonia	0.003 lb/MMBtu, 0.29 lb/hr, 1.2 TPY	
		Natural Gas Propane No. 2 fuel oil	HAP (total)	0.26 TPY 0.043 TPM	
			Smoke	< No. 1 of Chart[1], except No. 1 to < No. 2 of Chart for ≤ 6 minutes during any one hour	
			Opacity	10% (excluding water vapor) at any time	

Table 3d

EU	Operational and/or Production Limits	Fuel/Raw Material	Pollutant	Emissions Limits/Standards	Applicable Regulation and/or Approval No
EU 17	Use no more than 300 MMBtu of Propane in any 12 consecutive month period	Propane	NO_X	0.068 lb/MMBtu, 2.0 lb/hr, 0.01 TPY	MassDEP Approval #WE-14-030 (3/10/2015)
			CO	0.37 lb/MMBtu, 11 lb/hr, 0.05 TPY	310 CMR 7.02(8)(a)2
			VOC	0.14 lb/MMBtu, 4.2 lb/hr, 0.02 TPY	
			SO_2	0.011 lb/MMBtu, 0.33 lb/hr, 0.002 TPY	
			HAP (total)	0.14 lb/MMBtu, 4.2 lb/hr, 0.02 TPY	
			Opacity	No visible emissions except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. If there are visible emissions occurring for 5 minutes or less, the visible emissions shall comply with 310 CMR 7.06	MassDEP Approval #WE-14-030 (3/10/2015)
EU 18	None	No. 2 fuel oil	sulfur in fuel	≤ 0.05% S by weight from July 1, 2014 through June 30, 2018 ≤0.0015% S on and after July 1, 2018	Regulation 310 CMR 7.05(1)(a)3 40 CFR Part 63, Subpart ZZZZ
EU 19	Operate no more than 300 hours per year (per any rolling 12 month period)[6]	No. 2 fuel oil	sulfur in fuel	≤0.0015% S on and after July 1, 2007	Regulation 310 CMR 7.02(8)(i) 5 Regulation 310 CMR 7.26(42) 40 CFR 60, Subpart IIII
Facility-wide		Fuels, fibers and additives	HAPs	≤ 9.9 TPY individual HAPs or ≤ 24.8 TPY combined HAPs (see Table 8;Facility-Wide Special Condition 1)	MassDEP Approval #1-O-95-066
			Greenhouse gas[1]	N/A	310 CMR 7.71 (state only)

Table 3 Key:

EU = Emission Unit
CO = Carbon Monoxide
PM = Total Particulate Matter
$PM_{2.5}$ = Particulate Matter less than or equal to 2.5 microns in diameter
HAP (single) = maximum single Hazardous Air Pollutant
CO_2 = Carbon Dioxide
NO_X = Nitrogen Oxides
SO_2 = Sulfur Dioxide
PM_{10} = Particulate Matter less than or equal to 10 microns in diameter
VOC = Volatile Organic Compounds
HAP (total) = total Hazardous Air Pollutants.
NH_3 = Ammonia

Table 3 Key:

TPY = tons per consecutive12-month period [2]
TPM = tons per month
lbs/MMBtu = pounds per Million British thermal units
lbs/hr = pounds per hour
% = percent
≤ = less than or equal to

Table 3a-d Foot Notes:

1. Chart means the Ringelmann Scale for grading the density of smoke, as published by the United States Bureau of Mines and as referred to in the Bureau of Mines Information Circular No. 8333, or any smoke inspection guide approved by MassDEP.

2. The lb/MMBtu and lb/hr emission rates apply during the combustion of compressed natural gas or propane in the turbine in combination with the combustion of compressed natural gas or propane in the duct burner.

3. The lb/MMBtu and lb/hr emission rates apply during the combustion of ultra-low sulfur distillate (No. 2 fuel oil) in the turbine in combination with the combustion of compressed natural gas or propane in the duct burner.

4. Compliance with the lb/MMBtu and lb/hr emission limits for NO_X, CO, VOC, PM, including PM_{10} and $PM_{2.5}$, SO_2 and ammonia shall be based on the results of an applicable USEPA Reference Test Method.

5. Greenhouse Gas means any chemical or physical substance that is emitted into the air and that the department may reasonably anticipate will cause or contribute to climate change including, but not limited to, CO_2, CH_4, N_2O, SF_6, hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs)

6. To calculate the amount of a consecutive 12 month rolling period take the current calendar month amount and add it to the previous 11 calendar months total amount.

B. COMPLIANCE DEMONSTRATION

The Permittee is subject to the monitoring/testing, record keeping, and reporting requirements as contained in Tables 4, 5, and 6 below and 310 CMR 7.00 Appendix C (9) and (10) and applicable requirements contained in Table 3:

Table 4a

EU	Monitoring And Testing Requirements
EU 1	1. In accordance with Regulation 310 CMR 7.19(13)(d)3., measure and record on a daily basis: the type of fuel(s) burned each day, heat content of each fuel, and the total heating value of the fuel consumed for each day.
	2. In accordance with Regulation 310 CMR 7.05(8), sample and analyze the waste / used oil annually to verify that it meets the specifications set forth in Table 310 CMR 7.05(8).
	3. In accordance with Regulation 310 CMR 7.04(2)(a), ensure the smoke density sensing instruments and recorders are properly maintained in an accurate operating condition, operate continuously and are equipped with an audible alarm to signal the need for combustion equipment adjustment or repair when the smoke density is equal to or greater than No. 1 of the Chart[1]. Such smoke density equipment shall be available for inspection at reasonable times by a representative of MassDEP. Such inspection may include the review of recording charts, which must be retained and made available for a period of five years from the date of use.
EU 1 EU 4	4. In accordance with Regulation 310 CMR 7.04(4)(a), ensure the fossil fuel utilization facilities are inspected and maintained in accordance with the manufacturer's recommendations and tested for efficient operation at least once each calendar year.
	5. In accordance with Regulation 310 CMR 7.00 Appendix C(9)(b), monitor sulfur content of each new shipment of fuel oil received. Compliance with the percent sulfur in fuel requirements can be demonstrated by maintaining a shipping receipt from the fuel supplier (shipping certification) or through testing (testing certification). The shipping receipt certification or testing certification of sulfur content of No. 6 fuel oil shall document that the testing has been conducted in accordance with the applicable ASTM test methods: (D129-64, D1072-56, D1266-67, D1552-83, D2622-87, D4294-90) or any other method approved by MassDEP and EPA.
EU 1 EU 4 EU 5 EU 6	6. Monitor emission units to demonstrate compliance with the opacity limits contained in Table 3 and 310 CMR 7.06(1)(b).
EU 7	7. In accordance with Regulation 310 CMR 7.18(8)(h), upon request of MassDEP, perform or have performed tests to demonstrate compliance with Regulation 310 CMR 7.18(8).

Table 4b

EU	Monitoring And Testing Requirements
EU 15 EU 16	8. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), continuously monitor the emissions of NO_X, CO and oxygen as a diluent by installing, calibrating, maintaining and operating a monitoring system.
	9. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), install and maintain instrumentation for EU 15 and EU16 which is capable of continuously monitoring the ammonia injection rate for the SCR system.
	10. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), install and maintain instrumentation for EU 15 and EU16 which is capable of continuously monitoring the exhaust gas temperature at the inlet to the oxidation catalyst and at the outlet of the SCR system.
	11. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), operate the temperature, ammonia injection rate and emission monitoring equipment at all times that EU 15 and 16 are operating, except for periods of calibration checks, zero and span adjustments, and preventive maintenance.
	12. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), maintain on-site for the temperature, ammonia injection rate, NO_X, CO and oxygen monitoring equipment an adequate supply of spare parts.
	13. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), equip the continuous temperature monitoring system for the oxidation catalyst and the SCR system with audible and visible alarms which activate when these temperatures deviate from normal operating temperatures.
	14. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), EU 15 and EU 16 shall each be equipped with a fuel meter to continuously monitor the fuel flow rate for each fuel being used.
	15. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), conduct annual compliance stack testing for NO_X, CO, VOC, NH_3, total PM, PM_{10} and $PM_{2.5}$ while EU15 and EU16 are operating at or near design capacity to demonstrate compliance with the emission limitations as specified in Table 3 above in accordance with procedures set forth in Appendix A of 40 CFR Part 60 or another method approved by the Department and EPA. The stack testing shall be conducted when combusting natural gas and ultra-low sulfur distillate oil in EU 15. The initial compliance stack test shall be performed within 90 days of continuous operation of EU 15/16.
	16. In accordance with MassDEP Approval #WE-14-030 (3/10/2015) and 310 CMR 7.04(4)(a), inspect and maintain EU 16 in accordance with the manufacturer's recommendations and test each unit in accordance with the manufacturer's recommendations for efficient operation at least once each calendar year.
	17. In accordance with MassDEP Approval #WE-14-030 (3/10/2015) and 310 CMR 7.04(2)(a), EU 15 shall be equipped with a smoke density sensing instrument and recorder which are properly maintained in an accurate operating condition, operates continuously and is equipped with an audible alarm to signal the need for combustion equipment adjustment or repair with the smoke density is equal to or greater than No. 1 of the Chart[1]. Such smoke density equipment shall be available for inspection at reasonable times by a representative of the Department.
	18. In accordance with 40 CFR §60.8(a), conduct the initial performance test within 60 days after achieving the maximum production rate at which the facility will be operated, but no later than 180 days after initial startup.
	19. In accordance with 40 CFR §60.4400(b), the performance test must be done at any load condition within plus or minus 25 percent of 100 percent of peak load. Testing must be performed at the highest achievable load point, if at least 75 percent of peak load cannot be achieved in practice. Three separate test runs must be conducted for each performance test. The minimum time per run is 20 minutes.
	20. In accordance with 40 CFR §60.4400(b)(1), separate performance testing is required for each fuel.
	21. In accordance with 40 CFR §60.4400(b)(2), for combined cycle and CHP turbine systems with supplemental heat (duct burner) NO_X emissions must be measured after the duct burner rather than directly after the turbine. The duct burner must be in operation during the performance test.

Table 4c

EU	Monitoring And Testing Requirements
EU 15 EU 16	22. In accordance with 40 CFR §60.4400(b)(6), the ambient temperature must be greater than 0 °F during the performance test.
	23. In accordance with 40 CFR §60.4415, conduct initial and subsequent SO2 performance tests in accordance with the appropriate methodologies referenced in the Subpart.
	24. In accordance with 40 CFR §60.4365, SO_2 monitoring/fuel sulfur analysis is not required if the fuel is demonstrated not to exceed potential sulfur emissions of 26 ng SO_2/J (0.060 lb SO2/MMBtu) heat input for areas which do not have access to natural gas if the fuel quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the fuel specifies that: Natural Gas: The total sulfur content is 20 grains of sulfur or less per 100 scf; Fuel Oil: The total sulfur content is 0.05 weight percent (500 ppmw) or less Otherwise, regular SO_2 monitoring or fuel analysis is required as specified in §60.4365(b).
EU 17	25. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), EU 17 shall be equipped with instrumentation which is capable of continuously monitoring the fuel flow rate.
EU 19	26. In accordance with 310 CMR 7.26(42)(d)1 and 40 CFR §60.4209, a non-turnback hour counter shall be installed, operated and maintained in good working order.
	27. In accordance with 310 CMR 7.26(42)(e)1., a one-time Environmental Results Program Certification shall be made to the department within 60 days of commencement of operation; annual certification is not required. Certification shall include a statement from the supplier that the installed engine is capable of complying with the emission limitations for the first three years of operation.
EU 1 EU 4 EU 5 EU 6 EU 15 EU 16 EU 17 EU 19	28. In accordance with Regulation 310 CMR 7.13(1), if and when MassDEP determines that stack testing is necessary to ascertain compliance with MassDEP's regulations or design approval provisos, cause such stack testing: a. to be conducted by a person knowledgeable in stack testing, b. to be conducted in accordance with procedures contained in a test protocol approved by MassDEP, c. to be conducted in the presence of a representative of MassDEP when such is deemed necessary.
	29. In accordance with Regulation 310 CMR 7.13(2), if MassDEP determines that stack testing (to ascertain the mass emission rates of air contaminants emitted under various operating conditions) is necessary for the purposes of regulation enforcement or determination of regulation compliance, cooperate with the Department to provide: a. entrance to a location suitable for stack sampling, b. sampling ports at locations where representative samples may be obtained, c. staging and ladders to support personnel and equipment for performing the tests, d. a suitable power source at the sampling location for the operation of sampling equipment, and e. such other reasonable facilities as may be requested by MassDEP Emissions from Compliance Testing (Stack Testing) shall be determined in accordance with Regulation 310 CMR 7.13, and 40 CFR Part 60, Appendix A (Method 7 for oxides of nitrogen (NO_X), Method 6 for sulfur dioxide (SO_2), Method 10 for carbon monoxide (CO), Methods 1 through 5 for TSP, Method 3A for Oxygen (O_2), Method 9 for opacity, or any other test method approved by MassDEP or EPA. Prior to Stack Testing, appropriate testing ports shall be constructed so as to accommodate the requirements as stipulated in 40 CFR Part 60, Appendix A
	30. Monitor operations such that information may be compiled for the annual preparation of a Source Registration/Emission Statement Form as required by 310 CMR 7.12.

Table 4d

EU	Monitoring And Testing Requirements
Facility-wide	31. In accordance with 310 CMR 7.71(1) and Appendix C(9) establish and maintain data systems or record keeping practices (e.g. fuel use records, SF_6 usage documentation, Continuous Emissions Monitoring System) for greenhouse gas[2] emissions to ensure compliance with the reporting provisions of M.G.L. c. 21N, the Climate Protection and Green Economy Act, St. 2008, c. 298, § 6. (State only requirement)

Table 4 Key*:*

EU = Emission Unit
CO = Carbon Monoxide
PM = Total Particulate Matter
$PM_{2.5}$ = Particulate Matter less than or equal to 2.5 microns in diameter
NH_3 = Ammonia
HAP (single) = maximum single Hazardous Air Pollutant
SF_6 = Sulfur Hexafluoride
TPY = tons per consecutive12-month period [2]
ASTM = American Society for Testing Materials
USEPA = United States Environmental Protection Agency
NO_x = Nitrogen Oxides
SO_2 = Sulfur Dioxide
CO_2 = Carbon Dioxide
PM_{10} = Particulate Matter less than or equal to 10 microns in diameter microns in diameter
VOC = Volatile Organic Compounds
HAPs (total) = total Hazardous Air Pollutants
TPM = tons per month
CFR = Code of Federal Regulations
SCR = Selective Catalytic Reduction
CMR = Code of Massachusetts Regulations

Table 4 Foot Notes*:*

1. Chart means the Ringelmann Scale for grading the density of smoke, as published by the United States Bureau of Mines and as referred to in the Bureau of Mines Information Circular No. 8333, or any smoke inspection guide approved by MassDEP.
2. Greenhouse Gas means any chemical or physical substance that is emitted into the air and that the department may reasonably anticipate will cause or contribute to climate change including, but not limited to, CO_2, CH_4, N_2O, SF_6, hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs).

Table 5a

EU	Record Keeping Requirements
EU 1	1. In accordance with MassDEP Approval #1-B-93-020 (8/24/1993), keep a record on site of each quantity of waste oil charged to tank #2 and the total quantity of waste oil charged to tank #2 each month.
	2. In accordance with Regulation 310 CMR 7.19(13)(d)3., measure and record on a daily basis: a. type fuel(s) burned each day, b. heat content of each fuel, and c. the total heating value of the fuel consumed for each day.
	3. In accordance with Regulation 310 CMR 7.19(13)(d)5., obtain a certification from the fuel supplier for each shipment of residual oil that includes the following information: a. the name of the oil supplier, b. the nitrogen content of each oil shipment (acceptable test methods for determining nitrogen content of oil are ASTM methods D3228 and D4629 or any other method approved by MassDEP and EPA); c. the location where the sample was drawn for analysis to determine the nitrogen content of the oil, specifically including whether the oil was sampled as delivered to the affected facility or whether the sample was drawn from oil in storage at the oil supplier's or oil refiner's facility or another location.
	4. In accordance with Regulation 310 CMR 7.19(13)(d)8., maintain all records required by Regulation 310 CMR 7.19(13)(d), for a period of five years in a permanently bound log book or any other form acceptable to MassDEP including computer retained and generated data.
	5. Maintain all records required by regulation 310 CMR 7.05(8), and Table 4a (2) for a period of five years.
	6. In accordance with Regulation 310 CMR 7.04(2)(a) and Regulation 310 CMR Appendix C(10)(b), maintain records of smoke density recording charts for a period of five years from the date of use.
EU 1 EU 4	7. In accordance with Regulation 310 CMR 7.04(4)(a), maintain the results of said inspection, maintenance, and testing and date which it was performed shall be recorded and posted conspicuously on or near the facility. These records shall be maintained on site for a minimum of five (5) years.
	8. In accordance with Regulation 310 CMR 7.00 Appendix C (9)(b)(2), maintain records on site for five (5) years of the sulfur content of the fuel oil burned to demonstrate compliance with Regulation 310 CMR 7.05(1).
EU 4 EU 5 EU 6	9. In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), maintain a written log of the maintenance, repair, and down times (maintenance log) for the stock cleaning devices (side hill washers, forward cleaners, reverse flow cleaners, coarse screen, flotation unit, and fine screens) that includes the following: a. date and time of log entry b. the equipment affected c. time taken out of service d. time put back in service e. hours out of service f. type of repair performed g. status of paper machines, while the equipment was out of service h. cumulative hours (rolling 12 month total) this equipment was out of service last year while the paper machines were operating i. the designation of the person recording the log entry
	10. In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), maintain daily a written log of gallons of Betz 2278 (or equivalent) solvent used per day and a cumulative total for the current month. This solvent use log must be maintained on site for a minimum of five years and must be made available to MassDEP for inspection upon request.

Table 5b

EU	Record Keeping Requirements
EU 7	11. In accordance with Regulation 310 CMR 7.03(6), establish and maintain a recordkeeping system on site and in sufficient detail to document the date of construction, substantial reconstruction or alteration and, that the respective emission rates pursuant to Regulation 310 CMR 7.03 are not exceeded. All records shall be maintained up-to-date such that year-to-date information is readily available for MassDEP examination.
	12. In accordance with 310 CMR 7.03(6) and 7.18(8), prepare and maintain daily records sufficient to demonstrate compliance with the solvent use rates stated in 310 CMR 7.03(8).
	13. In accordance with 310 CMR 7.18(8)(g), prepare and maintain daily records sufficient to demonstrate continuous compliance. Such records shall be kept on-site for five years and shall me made available to representatives of MassDEP and EPA upon request. Such records shall include, but are not limited to: a. identity, quantity, formulation and density of solvent(s) used b. quantity, formulation and density of all waste solvent(s) generated; c. actual operational and performance characteristics of the degreaser and any appurtenant emissions capture and control equipment, if applicable.
EU 15 EU 16	14. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall continuously record the emissions of NO_X, CO and O_2 as a diluent gas.
	15. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall continuously record the ammonia injection rate.
	16. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall continuously record the exhaust gas temperature at the inlet to the oxidation catalyst and at the outlet of the SCR system.
	17. In accordance with MassDEP Approval #WE-14-030 (3/10/15), each unit shall record with a fuel meter, for each fuel of use, the amount of fuel combusted.
	18. In accordance with 310 CMR 7.04(4)(a), the results of the EU 16 inspection, maintenance, and testing and the date upon which it was performed shall be recorded and posted conspicuously on or near EU 16.
	19. In accordance with 310 CMR 7.04(2)(a), the smoke density recording charts must be retained and made available for a period of one year from the date of use.
	20. In accordance with 40 CFR §60.7(b), the Permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction; or any malfunction of the air pollution equipment.
	21. In accordance with 40 CFR §60.4365(a), the Permittee shall record the fuel quality characteristics in a current, valid purchase contract or tariff sheet for the fuel, specifying that the maximum total sulfur content for oil is 0.05 weight percent (500 ppmw) or less, the total sulfur content for natural gas is 20 grains of sulfur or less per 100 standard cubic feet and has potential sulfur emissions of less than 26 ng SO_2/J (0.060 lb SO_2/MMBtu) heat input.
EU 17	22. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall continuously record the fuel flow rate.

Table 5c

EU	Record Keeping Requirements
EU 15 EU 16 EU 17	23. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall maintain adequate records on-site to demonstrate compliance status with all operational, production, and emission limits contained in Table 3 above. Records shall also include the actual emissions of air contaminant(s) emitted for each calendar month and for each consecutive twelve-month period (current month plus prior eleven months). These records shall be compiled no later than the 15th day following each month. An electronic version of the MassDEP approved record keeping form, in Microsoft Excel format, can be downloaded at http://www.mass.gov/eea/agencies/massdep/air/approvals/limited-emissions-record-keeping-and-reporting.html#WorkbookforReportingOn-SiteRecordKeeping.
	24. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall maintain records of monitoring, testing and fuel usage as required by Table 4.
	25. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall maintain a copy of this Plan Approval, underlying Application and the most up-to-date SOMP for the EU(s) and PCD(s) approved herein on-site.
	26. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall maintain a record of routine maintenance activities performed on the approved EU(s), PCD(s) and monitoring equipment. The records shall include, at a minimum, the type or a description of the maintenance performed and the date and time the work was completed.
	27. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall maintain a record of all malfunctions affecting air contaminant emission rates on the approved EU(s), PCD(s) and monitoring equipment. At a minimum, the records shall include: date and time the malfunction occurred; description of the malfunction; corrective actions taken; the date and time corrective actions were initiated and completed; and the date and time emission rates and monitoring equipment returned to compliant operation.
	28. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall make records required by Plan Approval #WE-14-030 (3/10/15) available to MassDEP and USEPA personnel upon request.
EU 18	29. In accordance with 40 CFR §63.6655(e), the Permittee must keep record of the maintenance conducted on the stationary RICE in order to demonstrate that the owner/operator operated and maintained the stationary RICE and after-treatment control device (if any) according to the Permittee's own maintenance plan.
	30. In accordance with 40 CFR §63.6655(f), the Permittee must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation; including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purposes specified in §63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.
EU 19	31. In accordance with 310 CMR 7.26(42)(f), the owner or operator shall maintain on site or, for remote locations, at the closest facility where records can be maintained, the following records: a. Information on equipment type, make and model, and maximum power output; and b. A monthly log of hours of operation, fuel type, heating value, and sulfur content for fuel oil. A monthly calculation of the total hours operated in the previous 12 months; and c. Purchase orders, invoices, and other documents to substantiate information in the monthly log, and d. Copies of certificates and documents from the manufacturer related to certificates.

Table 5d

EU	Record Keeping Requirements
EU 1 EU 4 EU 5 EU 6 EU 7 EU 15 EU 16 EU 17 EU 18 EU 19	32. In accordance with 310 CMR 7.00 Appendix C(10)(b), maintain records of all monitoring data and supporting information on-site for a period of at least 5 years from the date of the monitoring sample, measurement, report or initial operating permit application.
	33. In accordance with 310 CMR 7.12, maintain the records required to determine the nature and amounts of emissions from the facility.
	34. In accordance with 310 CMR 7.12(3)(b), retain copies of Source Registration and other information supplied to the Department to comply with 310 CMR 7.12 for five years from the date of submittal.
Facility-wide	35. In accordance with 310 CMR 7.00 Appendix C(9)(b)(2)., keep sufficiently detailed records on a monthly basis to demonstrate that emissions of Hazardous Air Pollutants comply with the emission limits set forth in Table 8; Facility-Wide, Provision 1 of this permit. Such records shall include, but are not limited to, Safety Data Sheets for all Hazardous Air Pollutants containing materials and records of the consumption and emission rates of such materials.
	36. The Permittee is subject to the record keeping requirements of 40 CFR 98 “Mandatory Greenhouse Gas Reporting”, Subparts A, "General Provisions" and Subpart C “General Stationary Fuel Combustion Sources”. Compliance with all applicable provisions therein is required.
	37. In accordance with 310 CMR 7.71 (6) b. and c. retain at the facility for five years and make available to the Department upon request copies of the documentation of the methodology and data used to quantify emissions. (State only requirement)

Table 5 Key

EU = Emission Unit
ASTM= American Society for Testing Materials
NO_X = Oxides of Nitrogen
CO = Carbon Monoxide
PCD = Pollution Control Device
SCR = Selective Catalytic Reduction
O_2 = Oxygen
SOMP = Standard Operating and Maintenance Procedure

Table 6a

EU	Reporting Requirements
EU 1	1. In accordance with Regulation 310 CMR 7.19(13)(d)9, submit compliance records within ten days of written request by MassDEP or EPA.
EU 4 EU 5 EU 6	2. In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), submit quarterly reports to MassDEP by January 15, April 15, July 15, and October 15 summarizing monthly Betz 2278 (or equivalent) usage for the previous quarter, and summarizing the maintenance and repair, down time of stock cleaning devices. Erving Paper shall in the January 15 report, summarize all activity to date, including operational and equipment changes, designed to further reduce Betz 2278 (or equivalent) usage associated with VOC emissions.
EU 7	3. In accordance with Regulation 310 CMR 7.03(5), Erving Paper shall report to MassDEP any construction, substantial reconstruction or alteration, as described in Regulation 310 CMR 7.03, on the next required source registration.
EU 15 EU 16	4. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), the Permittee shall notify MassDEP, in writing, the date on which EU 15 and EU 16 commences operation at the facility. This notice shall be provided to MassDEP within (5) days of commencing operation.
	5. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), the Permittee shall submit a pretest protocol for the required emission test for review and MassDEP approval at least 30 days prior to the anticipated date of test. The pretest protocol shall include a description of sampling point locations, sampling equipment, sampling and analytical procedures, and the operating conditions for the required testing.
	6. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), the Permittee shall submit to MassDEP a notification of the anticipated test date a minimum of 30 days prior to conducting the stack emission test as required by Table 3a Monitoring and Testing Requirements herein.
	7. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), the Permittee shall submit to MassDEP a final stack emission test results report, within 60 days after emission testing, for emission testing as defined in Table 3 Monitoring and Testing Requirements. The emission test report shall contain the results of the testing, a description of the test methods and procedures actually used in the performance of the tests, copies of all process data (ex. exhaust gas temperature at the inlet to the oxidation catalyst and at the outlet of the SCR system, ammonia injection rate and fuel usage rate) collected during the testing, copies of all raw test data and copies of all calculations generated during data analysis. The results of the testing shall be expressed in units which allow for a direct comparison, and determination of compliance, with the air contaminant emission limitations contained herein.
	8. In accordance with 40 CFR §60.8(d), the Permittee shall provide the U.S. EPA at least 30 days prior notice of any performance test. Notify the U.S. EPA as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date by mutual agreement.
	9. In accordance with 40 CFR §60.4375(b), the Permittee shall submit to the U.S. EPA a written report of each performance test before the close of business on the 60th day following the completion of the performance test.
EU 15 EU 16 EU 17	10. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), the Permittee shall submit to MassDEP all information required by this Plan Approval over the signature of a "Responsible Official" as defined in 310 CMR 7.00 and shall include the Certification statement as provided in 310 CMR 7.01(2)(c).
EU 18	11. In accordance with 40 CFR 63.6650(h), submit an annual report according to the requirements in paragraphs (h)(1) through (3).
	12. In accordance with 40 CFR 63 Subpart ZZZZ Table 2d, Footnote 2., sources must report any failure to perform the management practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable

Table 6b

EU	Reporting Requirements
EU 19	13. In accordance with 40 CFR 60.4214(c), if the stationary CI internal combustion engine is equipped with a diesel particulate filter, the owner or operator must keep any records of any corrective action taken after the backpressure monitor has notified the owner or operator that the high backpressure limit of the engine is approached.
	14. In accordance with 40 CFR 60.4214(d), owners or operators of emergency stationary CI ICE with a maximum engine power more than 100 HP that operates or is contractually obligated to be available for more than 15 hours per calendar year or that operates for the purposes specified in §60.4211(f)(3)(i), must submit an annual report according to the requirements in paragraphs (d)(1) through (3) of this section.
Facility-wide	15. Submit a Source Registration/Emission Statement Form to MassDEP on an annual basis as required by 310 CMR 7.12.
	16. In accordance with 310 CMR 7.13(1) and 7.13(2), if determined by the Department that stack testing is necessary to ascertain compliance with the Department's regulations or design approval provisos shall cause such stack testing to be summarized and submitted to the Department as prescribed in the agreed to pretest protocol.
	17. In accordance with 310 CMR 7.00: Appendix C(10)(c). the Permittee shall report a summary of all monitoring data and related supporting information to MassDEP at least every six months (January 30 and July 30 of each calendar year).
	18. Submit Annual Compliance report to MassDEP and EPA by January 30 of each year and as required by General Condition 10 of this Permit.
	19. In accordance with 310 CMR 7.00 Appendix C(10)(a), submit to MassDEP any record relevant to this operating permit or to the emissions of any air contaminant from the facility within 30 days of the request by MassDEP or EPA.
	20. In accordance with 310 CMR 7.00 Appendix C(10)(f), the Permittee shall report to MassDEP's Regional Bureau of Waste Prevention all instances of deviations from permit requirements**. (See Provision 25 in "GENERAL CONDITIONS FOR OPERATING PERMIT")**.
	21. The Permittee is subject to the reporting requirements of 40 CFR 98 "Mandatory Greenhouse Gas Reporting", Subparts A, "General Provisions" and Subpart C "General Stationary Fuel Combustion Sources". Compliance with all applicable provisions therein is required.
	22. In accordance with 310 CMR 7.71(5), by April 15th, 2010 and April 15th of each year thereafter report emissions of greenhouse gases from stationary emissions sources including, but not limited to, emissions from factory stacks, manufacturing processes and vents, fugitive emissions, and other process emissions; and owned or leased motor vehicles when stationary source greenhouse gas emissions are greater than 5,000 short tons CO_2e. Report greenhouse gas emissions electronically in a format that can be accommodated by the registry. **(State only requirement)**
	23. In accordance with 310 CMR 7.71(6), certify greenhouse gas emissions reports using a form provided by the Department or the registry. **(State only requirement)**
	24. In accordance with 310 CMR 7.71(7), by December 31st of the applicable year submit to the Department documentation of triennial verification of the greenhouse gas emissions report. **(State only requirement)**

Table 6 Key

EU = Emission Unit
SCR = Selective Catalytic Reduction
CI = Compression Ignition
MassDEP = Massachusetts Department of Environmental Protection
PCD = Pollution Control Device
VOC = Volatile Organic Compounds
ICE = Internal Combustion Engine
U.S. EPA = United States Environmental Protection Agency.

GENERAL APPLICABLE REQUIREMENTS

The Permittee shall comply with all generally applicable requirements contained in 310 CMR 7.00 et seq. and 310 CMR 8.00 et. seq., when subject.

C. REQUIREMENTS NOT CURRENTLY APPLICABLE

The Permittee is currently not subject to the following requirements:

Table 7

Regulation	Reason
310 CMR 7.16	Reduction of Single Occupant Commuter Vehicle Use: Facility employs fewer than 250 people.
310 CMR 7.25	Consumer and Commercial Products : not applicable
40 CFR 63 Subpart T	National Emission Standards for Halogenated Solvent Cleaning : not applicable
40 CFR 64	Compliance Assurance Monitoring Rule: Facility does not satisfy all applicable criteria.

5. SPECIAL TERMS AND CONDITIONS

The Permittee is subject to and shall comply with the following special terms and conditions that are not contained in Table 3, 4, 5, and 6:

Table 8a	
EU	**Special Terms and Conditions**
EU 1	1. In accordance with Application # X255795 (5/38/2013) which was determined by MassDEP as not required because of conversion to a cleaner fuel source, the Permittee designated this boiler as a "Gas-fired boiler" as defined under §63.11237. The facility shall keep records to demonstrate this.
	2. In accordance with Regulation 310 CMR 7.02(4)(a) 3, ensure that no actions are taken to modify the air contaminant ventilation characteristics of the stacks (for instance, through modifying stack height or stack exit velocity) unless written plan approval is obtained from MassDEP. The existing stack specifications are as follows: EU 1 Sack Height (feet): 100 Stack Exit Diameter (inches): 48 Stack Material: steel
EU 4 EU 5 EU 6	3. In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), ensure that VOC emissions from cleaning the paper machines does not exceed 2.2 tons per calendar month and 26.3 tons per year (rolling 12-month total).
	4. In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), Erving Paper may substitute "equivalent" cleaning solutions for Betz 2278. Erving may demonstrate to MassDEP that a cleaning solution is "equivalent" by documenting solvent characteristics such as a vapor pressure, percent volatiles, flash point, and/or evaporation rate, and by providing a reasonable explanation why VOC emissions to the atmosphere can be expected to be equal to or less than what was emitted when using Betz 2278.
	5. In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), Erving must obtain written approval from MassDEP before any "equivalent" solvent substitutes can be used. The solvent Erving is using as of the date of this Final Approval (amended) (Ashland 14266) qualifies as an equivalent solvent.
	6. In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), not exceed 4498 gallons of Betz 2278 (or equivalent)/month, not exceed 8 gallons of Betz 2278 (or equivalent) per wash cycle.
	7. In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), maintain the stock cleaning devices in accordance with the manufacturers' specifications.
EU 15	8. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), EU 15 shall be operated in accordance with the requirements specified in 310 CMR 7.26(43).
EU 15 EU 16	9. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), EU 15 and EU 16 shall consist of the equipment specified in Table 1 herein.
	10. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), EU 15 and EU 16 shall be equipped with a Rentech, or equivalent, oxidation catalyst and a Cormetech Model CM21, or equivalent, selective catalytic reduction system.
	11. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), the Permittee shall operate the selective catalytic reduction system and oxidation catalyst at all times that EU 15 and EU 16 are operating.
	12. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), the operating temperature for the selective catalytic reduction system shall be within 480°F to 800°F.
	13. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), the operating temperature for the oxidation catalyst shall be within 600°F to 1150°F.

Table 8b

EU	Special Terms and Conditions
EU 15 EU 16	14. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), EU 15 and EU 16 are subject to Subpart KKKK of the federal Standards of Performance for Stationary Combustion Turbines, 40 CFR Part 60.4300 through 60.4420 and shall comply with the applicable requirements.
EU 18	15. In accordance with 40 CFR §63.6603(a), comply with the requirements in 40 CFR 63 Subpart ZZZZ, Table 2d and the work or management practices in 40 CFR 63 Subpart ZZZZ, Table 2b.
	16. In accordance with 40 CFR Subpart ZZZZ Table 2d(4), the Permittee shall: a. Change oil and filter every 500 hours of operation or annually, whichever comes first;[(1)] b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.
	17. In accordance with 40 CFR Subpart ZZZZ Table 6(9)(a), the Permittee shall: 1. Operate and maintain the stationary RICE according to the manufacturer's emission related operation and maintenance instructions 2. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.
	18. In accordance with 40 CFR 63.6640(f), operate the engine according to the conditions described in 40 CFR 63.6640(f)(1) through (4). If you do not operate the engine according to the requirements in 40 CFR 63.6640(f)(1) through (4), as specified in a. through c. below, the engine will not be considered an emergency engine under this subpart and will need to meet all requirements for non-emergency engines. a. There is no time limit on the use of emergency stationary RICE in emergency situations. b. You may operate your emergency stationary RICE for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by the manufacturer, the vendor, or the insurance company associated with the engine. Required testing of such units should be minimized, but there is no time limit on the use of emergency stationary RICE in emergency situations and for routine testing and maintenance. c. You may operate your emergency stationary RICE for an additional 50 hours per year in non-emergency situations. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity
	19. Emission unit EU 18 is subject to the requirements of 40 CFR 63.1-15, Subpart A, "General Provisions" [as indicated in Table"8" to Subpart ZZZZ of 40 CFR 63]. Compliance with all applicable provisions therein is required.
EU 19	20. In accordance with 40 CFR §60.4205(b), owners and operators of 2007 model year and later emergency stationary CI ICE with a displacement of less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards for new non-road CI engines in §60.4202, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE.
	21. In accordance with 40 CFR §60.4207(b), Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(b) for non-road diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.

Table 8c

EU	Special Terms and Conditions
EU 19	22. In accordance with 40 CFR §60.4211(a) and (c), install, configure, operate and maintain the engine and control device according to the manufacturer's emission-related written instructions, and change only those emission-related settings that are permitted by the manufacturer.
	23. In accordance with 40 CFR §60.4211(f), in order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (3) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (3) of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.
	24. In accordance with 40 CFR §60.4211(f)(2)(i), emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.
	25. In accordance with 40 CFR §60.4211(f)(3)(i), the 50 hours of operation in non-emergency situations can only be used to supply power as a part of a financial arrangement with another entity if all of the following conditions are met: a. The engine is dispatched by the local balancing authority or local transmission and distribution system operator. b. The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region. c. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines. d. The power is provided only to the facility itself or to support the local transmission and distribution system. e. The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.
	26. In accordance with 310 CMR 7.26(42)(c)3., engines, turbines and associated equipment shall be constructed, located, operated and maintained in a manner to comply with the requirements of 310 CMR 7.10: Noise. **[State Only]**.
	27. In accordance with 310 CMR 7.26(42)(d)5., emergency engines shall comply with all the requirements of 310 CMR 7.06(1)(a) and (b).

Table 8d	
EU	**Special Terms and Conditions**
Facility-wide	28. In accordance with MassDEP Approval #1-O-95-066 (8/31/2000), limit emissions of any single Hazardous Air Pollutant to ≤ 9.9 tons and any combination of Hazardous air Pollutants to ≤ 24.9 tons during any rolling twelve month consecutive calendar month period. For purposes of this permit "Hazardous Air Pollutant" shall be defined as any air pollutant listed in Section 112(b) of the Clean Air Act Amendments of 1990 (as amended in the Federal Register).
	29. In accordance with 310 CMR 7.01(1), should any nuisance condition(s) occur as a result of the operation, take appropriate steps immediately to abate said nuisance condition(s). **[Sate Only]**
	30. In accordance with 310 CMR 7.09, shall not cause or allow emissions of odor or dust that cause or contribute to a condition of air pollution. **[State Only]**
	31. In accordance with 310 CMR 7.10, ensure that they do not willfully, negligently, or through failure to provide necessary equipment, service, or maintenance or take necessary precautions cause, suffer, allow, or permit unnecessary emissions from said source of sound that may cause noise**. [State Only]**

Table 8 Key

EU = Emission Unit
°F = Degrees Fahrenheit
CI = Compression Ignition
CFR = Code of Federal Regulations
PCD = Pollution Control Device
RICE = Reciprocating Internal Combustion Engine
ICE = Internal Combustion Engine
CMR = Code of Massachusetts Regulations

Table 8 Notes:

1. Sources have the option to utilize an oil analysis program as described in 40 CFR §63.6625(i) or (j) in order to extend the specified oil change requirement in Table 2d of 40 CFR 63 Subpart ZZZZ.

6. ALTERNATIVE OPERATING SCENARIOS

The Permittee did not request alternative operating scenarios in its Operating Permit application.

7. EMISSIONS TRADING

A. INTRA-FACILITY EMISSION TRADING

The Permittee did not request intra-facility emissions trading in its Operating Permit application.

A. INTER-FACILITY EMISSION TRADING

The Permittee did not request inter-facility emissions trading in its Operating Permit application.

8. COMPLIANCE SCHEDULE

The Permittee has indicated that the facility is in compliance and shall remain in compliance with the applicable requirements contained in Sections 4 and 5.

In addition, the Permittee shall comply with any applicable requirements that become effective during the Permit term.

GENERAL CONDITIONS FOR OPERATING PERMIT

9. FEES

The Permittee has paid the permit application processing fee and shall pay the annual compliance fee in accordance with the fee schedule pursuant to 310 CMR 4.00.

10. COMPLIANCE CERTIFICATION

All documents submitted to the MassDEP shall contain certification by the responsible official of truth, accuracy, and completeness. Such certification shall be in compliance with 310 CMR 7.01(2) and contain the following language:

"I certify that I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment."

The "Operating Permit Reporting Kit" contains instructions and the Annual Compliance Report and Certification and the Semi-Annual Monitoring Summary Report and Certification. The "Operating Permit Reporting Kit" is available to the Permittee via the MassDEP's web site, http://www.mass.gov/dep/air/approvals/aqforms.htm#op.

A. Annual Compliance Report and Certification

The Responsible Official shall certify, annually for the calendar year, that the facility is in compliance with the requirements of this Operating Permit. The report shall be postmarked or delivered by January 30 to the MassDEP and to the Air Compliance Clerk, U.S. Environmental Protection Agency - New England Region. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

1) the terms and conditions of the Permit that are the basis of the certification;
2) the current compliance status and whether compliance was continuous or intermittent during the reporting period;
3) the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
4) any additional information required by the MassDEP to determine the compliance status of the source.

B. Semi-Annual Monitoring Summary Report and Certification

The Responsible Official shall certify, semi-annually on the calendar year, that the facility is in

compliance with the requirements of this Permit. The report shall be postmarked or delivered by January 30 and July 30 to the MassDEP. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

1) the terms and conditions of the Permit that are the basis of the certification;
2) the current compliance status during the reporting period;
3) the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods;
4) whether there were any deviations during the reporting period;
5) if there are any outstanding deviations at the time of reporting, and the Corrective Action Plan to remedy said deviation;
6) whether deviations in the reporting period were previously reported;
7) if there are any outstanding deviations at the time of reporting, the proposed date of return to compliance;
8) if the deviations in the reporting period have returned to compliance and date of such return to compliance; and
9) any additional information required by the MassDEP to determine the compliance status of the source.

11. NONCOMPLIANCE

Any noncompliance with a permit condition constitutes a violation of 310 CMR 7.00: Appendix C and the Clean Air Act, and is grounds for enforcement action, for Permit termination or revocation, or for denial of an Operating Permit renewal application by the MassDEP and/or EPA. Noncompliance may also be grounds for assessment of administrative or civil penalties under M.G.L. c.21A, §16 and 310 CMR 5.00; and civil penalties under M.G.L. c.111, §142A and 142B. This Permit does not relieve the Permittee from the obligation to comply with any other provisions of 310 CMR 7.00 or the Act, or to obtain any other necessary authorizations from other governmental agencies, or to comply with all other applicable Federal, State, or Local rules and regulations, not addressed in this Permit.

12. PERMIT SHIELD

A. This facility has a permit shield provided that it operates in compliance with the terms and conditions of this Permit. Compliance with the terms and conditions of this Permit shall be deemed compliance with all applicable requirements specifically identified in Sections 4, 5, 6, and 7, for the emission units as described in the Permittee's application and as identified in this Permit.

Where there is a conflict between the terms and conditions of this Permit and any earlier approval or Permit, the terms and conditions of this Permit control.

B. The MassDEP has determined that the Permittee is not currently subject to the requirements listed

in Section 4, Table 7.

C. Nothing in this Permit shall alter or affect the following:

1) the liability of the source for any violation of applicable requirements prior to or at the time of Permit issuance.
2) the applicable requirements of the Acid Rain Program, consistent with 42 U.S.C. §7401, §408(a); or
3) the ability of EPA to obtain information under 42 U.S.C. §7401, §114 or §303 of the Act.

13. ENFORCEMENT

The following regulations found at 310 CMR 7.02(8)(h) Table 6 for wood fuel, 7.04(9), 7.05(8), 7.09 (odor), 7.10 (noise), 7.18(1)(b), 7.21, 7.22, 7.70 and any condition(s) designated as "state only" are not federally enforceable because they are not required under the Act or under any of its applicable requirements. These regulations and conditions are not enforceable by the EPA. Citizens may seek equitable or declaratory relief to enforce these regulations and conditions pursuant to Massachusetts General Law Chapter 214, Section 7A

All other terms and conditions contained in this Permit, including any provisions designed to limit a facility's potential to emit, are enforceable by the MassDEP, EPA and citizens as defined under the Act.

A Permittee shall not claim as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.

14. PERMIT TERM

This Permit shall expire on the date specified on the cover page of this Permit, which shall not be later than the date 5 years after issuance of this Permit.

Permit expiration terminates the Permittee's right to operate the facility's emission units, control equipment or associated equipment covered by this Permit, unless a timely and complete renewal application is submitted at least 6 months before the expiration date.

15. PERMIT RENEWAL

Upon the MassDEP’s receipt of a complete and timely application for renewal, this facility may continue to operate subject to final action by the MassDEP on the renewal application.

In the event the MassDEP has not taken final action on the Operating Permit renewal application prior to this Permit's expiration date, this Permit shall remain in effect until the MassDEP takes final action on the renewal application, provided that a timely and complete renewal application has been submitted in accordance with 310 CMR 7.00: Appendix C(13).

16. REOPENING FOR CAUSE

This Permit may be modified, revoked, reopened, and reissued, or terminated for cause by the MassDEP and/or EPA. The responsible official of the facility may request that the MassDEP terminate the facility's Operating Permit for cause. The MassDEP will reopen and amend this Permit in accordance with the conditions and procedures under 310 CMR 7.00: Appendix C(14).

The filing of a request by the Permittee for an Operating Permit revision, revocation and reissuance, or termination, or a notification of a planned change or anticipated noncompliance does not stay any Operating Permit condition.

17. DUTY TO PROVIDE INFORMATION

Upon the MassDEP's written request, the Permittee shall furnish, within a reasonable time, any information necessary for determining whether cause exists for modifying, revoking and reissuing, or terminating the Permit, or to determine compliance with the Permit. Upon request, the Permittee shall furnish to the MassDEP copies of records that the Permittee is required to retain by this Permit.

18. DUTY TO SUPPLEMENT

The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information. The Permittee shall also provide additional information as necessary to address any requirements that become applicable to the facility after the date a complete renewal application was submitted but prior to release of a draft permit.

The Permittee shall promptly, on discovery, report to the MassDEP a material error or omission in any records, reports, plans, or other documents previously provided to the MassDEP.

19. TRANSFER OF OWNERSHIP OR OPERATION

This Permit is not transferable by the Permittee unless done in accordance with 310 CMR 7.00: Appendix C(8)(a). A change in ownership or operation control is considered an administrative permit amendment if no other change in the Permit is necessary and provided that a written agreement containing a specific date for transfer of Permit responsibility, coverage and liability between current and new Permittee, has been submitted to the MassDEP.

20. PROPERTY RIGHTS

This Permit does not convey any property rights of any sort, or any exclusive privilege.

21. INSPECTION AND ENTRY

Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow authorized representatives of the MassDEP, and EPA to perform the following:

A. enter upon the Permittee's premises where an operating permit source activity is located or emissions-related activity is conducted, or where records must be kept under the conditions of this Permit;

B. have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;

C. inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and

D. Sample or monitor at reasonable times any substances or parameters for the purpose of assuring compliance with the Operating Permit or applicable requirements as per 310 CMR 7.00 Appendix C(3)(g)(12).

22. PERMIT AVAILABILITY

The Permittee shall have available at the facility, at all times, a copy of the materials listed under 310 CMR 7.00: Appendix C(10)(e) and shall provide a copy of the Operating Permit, including any amendments or attachments thereto, upon request by the MassDEP or EPA.

23. SEVERABILITY CLAUSE

The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

24. EMERGENCY CONDITIONS

The Permittee shall be shielded from enforcement action brought for noncompliance with technology based[1] emission limitations specified in this Permit as a result of an emergency[2]. In order to use emergency as an

[1] Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

[2] An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the Permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or

affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

A. an emergency occurred and that the Permittee can identify the cause(s) of the emergency;

B. the permitted facility was at the time being properly operated;

C. during the period of the emergency, the Permittee took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions standards, or other requirements in this Permit; and

D. the Permittee submitted notice of the emergency to the MassDEP within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

If an emergency episode requires immediate notification to the Bureau of Waste Site Cleanup/Emergency Response, immediate notification to the appropriate parties should be made as required by law.

25. PERMIT DEVIATION

Deviations are instances where any permit condition is violated and not reported as an emergency pursuant to section 24 of this Permit. Reporting a permit deviation is not an affirmative defense for action brought for noncompliance. Any reporting requirements listed in Table 6 of this Operating Permit shall supersede the following deviation reporting requirements, if applicable.

The Permittee shall report to the MassDEP's Regional Bureau of Waste Prevention the following deviations from permit requirements, by telephone, by fax or by electronic mail (e-mail), within three (3) days of discovery of such deviation:

A. Unpermitted pollutant releases, excess emissions or opacity exceedances measured directly by CEMS/COMS, by EPA reference methods or by other credible evidence, which are ten percent (10%) or more above the emission limit.

B. Exceedances of parameter limits established by your Operating Permit or other approvals, where the parameter limit is identified by the Permit or approval as surrogate for an emission limit.

C. Exceedances of Permit operational limitations directly correlated to excess emissions.

D. Failure to capture valid emissions or opacity monitoring data or to maintain monitoring equipment as required by statutes, regulations, your Operating Permit, or other approvals.

E. Failure to perform QA/QC measures as required by your Operating Permit or other approvals for instruments that directly monitor compliance.

For all other deviations, three (3) day notification is waived and is satisfied by the documentation required in the subsequent Semi-Annual Monitoring Summary and Certification. Instructions and forms for reporting deviations are found in the MassDEP Bureau of Waste Prevention Air Operating Permit Reporting Kit,

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decision to keep operating despite knowledge of any of these things.

which is available to the Permittee via the MassDEP's web site, http://www.mass.gov/dep/air/approvals/aqforms.htm#op.
This report shall include the deviation, including those attributable to upset conditions as defined in the Permit, the probable cause of such deviations, and the corrective actions or preventative measures taken.

Deviations that were reported by telephone, fax or electronic mail (e-mail) within 3 days of discovery, said deviations shall also be submitted in writing via the Operating Permit Deviation Report to the regional Bureau of Waste Prevention within ten (10) days of discovery. For deviations, which do not require 3-day verbal notification, follow-up reporting requirements are satisfied by the documentation required in the aforementioned Semi-Annual Monitoring Summary and Certification.

26. OPERATIONAL FLEXIBILITY

The Permittee is allowed to make changes at the facility consistent with 42 U.S.C. §7401, §502(b)(10) not specifically prohibited by the Permit and in compliance with all applicable requirements provided the Permittee gives the EPA and the MassDEP written notice fifteen days prior to said change; notification is not required for exempt activities listed at 310 CMR 7.00: Appendix C(5)(h) and (i). The notice shall comply with the requirements stated at 310 CMR 7.00: Appendix C(7)(a) and will be appended to the facility's Permit. The permit shield allowed for at 310 CMR 7.00: Appendix C(12) shall not apply to these changes.

27. MODIFICATIONS

A. Administrative Amendments - The Permittee may make changes at the facility which are considered administrative amendments pursuant to 310 CMR 7.00: Appendix C(8)(a)1., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(b).

B. Minor Modifications - The Permittee may make changes at the facility which are considered minor modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)2.,provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(d).

C. Significant Modifications - The Permittee may make changes at the facility which are considered significant modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)3., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(c).

D. No permit revision shall be required, under any approved economic incentives program, marketable permits program, emission trading program and other similar programs or processes, for changes that are provided in this Operating Permit. A revision to the Permit is not required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program under Title IV of the Act, provided that such increases do not require an Operating Permit revision under any other applicable requirement.

28. OZONE DEPLETING SUBSTANCES

This section contains air pollution control requirements that are applicable to this facility, and the United

States Environmental Protection Agency enforces these requirements.

A. The Permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:

1) All containers containing a class I or class II substance that is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to 40 CFR 82.106.

2) The placement of the required warning statement must comply with the requirements of 40 CFR 82.108.

3) The form of the label bearing the required warning statement must comply with the requirements of 40 CFR 82.110.

4) No person may modify, remove or interfere with the required warning statement except as described in 40 CFR 82.112.

B. The Permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVAC) in Subpart B:

1) Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices of 40 CFR 82.156.

2) Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment of 40 CFR 82.158.

3) Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

4) Persons disposing of small appliances, MVACs and MVAC-like appliances (as defined in 40 CFR 82.152) must comply with recordkeeping requirements of 40 CFR 82.166.

5) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair equipment requirements of 40 CFR 82.156.

6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

C. If the Permittee manufactures, transforms, imports or exports a class I or class II substance, the Permittee is subject to all the requirements as specified in 40 CFR Part82, Subpart A, "Production and Consumption Controls".

D. If the Permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, "Servicing of Motor Vehicle Air Conditioners". The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo or system used on passenger buses using HCFC-22 refrigerant.

E. The Permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, "Significant New Alternatives Policy Program".

29. PREVENTION OF ACCIDENTAL RELEASES

This section contains air pollution control requirements that are applicable to this facility, and the United States Environmental Protection Agency enforces these requirements.

Your facility is subject to the requirements of the General Duty Clause, under 112(r)(1) of the CAA Amendments of 1990. This clause specifies that owners or operators of stationary sources producing, processing, handling or storing a chemical in any quantity listed in 40 CFR Part 68 or any other extremely hazardous substance have a general duty to identify hazards associated with these substances and to design, operate and maintain a safe facility, in order to prevent releases and to minimize the consequences of accidental releases which may occur.

APPEAL CONDITIONS FOR OPERATING PERMIT

This Permit is an action of the MassDEP. If you are aggrieved by this action, you may request an adjudicatory hearing within 21 days of issuance of this Permit. In addition, any person who participates in any public participation process required by the Federal Clean Air Act, 42 U.S.C. §7401, §502(b)(6) or under 310 CMR 7.00: Appendix C(6), with respect to the MassDEP's final action on operating permits governing air emissions, and who has standing to sue with respect to the matter pursuant to federal constitutional law, may initiate an adjudicatory hearing pursuant to Chapter 30A, and may obtain judicial review, pursuant to Chapter 30A, of a final decision therein.

If an adjudicatory hearing is requested, the facility must continue to comply with all existing federal and state applicable requirements to which the facility is currently subject, until a final decision is issued in the case or the appeal is withdrawn. During this period, the application shield shall remain in effect, and the facility shall not be in violation of the Act for operating without a Permit.

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts which are the grounds for the request, and the relief sought. Additionally, the request must state why the Permit is not consistent with applicable laws and regulations.

The hearing request along with a valid check payable to The Commonwealth of Massachusetts in the amount of one hundred dollars ($100.00) must be mailed to:

The Commonwealth of Massachusetts
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The request will be dismissed if the filing fee is not paid unless the appellant is exempt or granted a waiver as described below.

The filing fee is not required if the appellant is a city or town (or municipal agency) county, or district of the Commonwealth of Massachusetts, or a municipal housing authority.

The MassDEP may waive the adjudicatory hearing filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.